

# **BY-LAWS**

## **MISSOURI SPECIAL EDUCATION ADVISORY PANEL**

### **ARTICLE I**

#### **Name of Panel**

- Section I. This panel shall be known as the Missouri Special Education Advisory Panel.
- Section II. Authority for the creation of such a statewide panel is found in Section 162.690 RSMo and 20 USC 612(a) (21).

### **ARTICLE II**

#### **Purpose of the Panel**

- Section I. The purpose of the Missouri Special Education Advisory Panel is to provide policy guidance on special education and related services and to carry out those specific and general functions set forth in the above referenced statutes. The panel shall: (1) Advise the State Education Agency (SEA) of unmet needs within the State in the education of children with disabilities, (2) Comment publicly on any rules or regulations proposed by the State regarding the education of children with disabilities, (3) Advise the SEA in developing evaluations and reporting on data to the US Office of Education under Section 618 of the Act, (4) Advise the SEA in developing corrective action plans to address findings identified in Federal monitoring reports under Part B of the Act, and (5) Advise the SEA in developing and implementing policies relating to the coordination of services for children with disabilities.

### **ARTICLE III**

#### **Membership**

- Section I. The Missouri Special Education Advisory Panel members shall be appointed by the Commissioner of Education to serve at his discretion. The majority of members appointed shall be individuals with disabilities or parents of children with disabilities. The panel membership shall be composed of individuals involved in, or concerned with the education of children with disabilities including – (1) Parents of children with disabilities (ages birth through 26), (2) Individuals with disabilities, (3) Teachers, (4) Representatives of institutions of higher education that prepare special education and related services personnel, (5) State and local education officials, including officials who carry out activities under subtitle B of the VII of the McKinney-Vento Homeless Assistance Act (42 USC 11431 et seq.), (6) Administrators of programs for children with disabilities, (7) Representatives of other State agencies involved in the financing or delivery of related services to children with disabilities, (8) Representatives of private schools and public charter schools, (9) At least one representative of a vocational, community or business organization concerned with the provision of transition services to children with disabilities, (10) Representative from the State child welfare agency responsible for foster care, and (11) Representatives from the State juvenile and adult corrections agencies.

- Section II. Members are selected on the basis of employment or personal circumstances that qualify them to represent one of the categories specified in Section I. Qualifications are determined through the member nomination review process.
- Section III. Members must be qualified to represent one of the categories specified in Section I at the time they are appointed and at the time of any subsequent reappointment.
- Section IV. Members are appointed for a three (3) year term and may be reappointed for no more than three (3) consecutive terms. Representatives of State agencies shall serve as long as their agency directs.
- Section V. Members who no longer qualify to represent the categories for which they were appointed may be removed from the Panel during any three-year term at the recommendation of the Chairperson in consultation with the Assistant Commissioner for Special Education.

#### ARTICLE IV Officers

- Section I. Officers of the panel shall be a Chairperson, Vice Chairperson and Secretary.
- Section II. The officers shall be elected by majority of the members present and voting. Such elections shall be conducted annually during the June meeting of each year. Officers may be elected to successive terms.
- Section III. The Chairperson shall be the principal executive officer of the panel. Duties may include but not be limited to, calling the meetings, presiding at all meetings, assignment of committees, representing the panel in person or by designee in any such public capacity or function deemed appropriate by the panel and other duties incident to the office of Chairperson as prescribed by the panel.
- Section IV. In the absence of the Chairperson, or in the event of the Chairperson's inability or refusal to act, the Vice Chairperson shall perform the duties of the Chairperson. The Vice Chairperson shall perform other duties as may be assigned by the Chairperson of the panel.
- Section V. An Acting Chairperson may be elected by a majority vote of the members present and voting when neither the Chairperson or Vice Chairperson is available to preside at the meeting.
- Section VI. The Secretary shall be responsible for safeguarding all official proceedings and shall perform other duties as may be assigned by the Chairperson or the panel.

#### ARTICLE V Meetings

- Section I. The panel shall hold at least four (4) scheduled meetings each calendar year.

- Section II. A quorum shall consist of the members present. A quorum must be present in order for business to be conducted.
- Section III. Members shall give prior notice to the Department of Elementary and Secondary Education or the Secretary when they will not attend the meeting of the panel. Two (2) consecutive unexcused absences or three (3) consecutive excused absences from scheduled meetings shall be deemed as a resignation from the panel.
- Section IV. Proxy voting shall not be permitted and panel members may not send alternates to the meetings.
- Section V. All meetings of the panel shall be open to the public except as provided in Chapter 610 RSMo.
- Section VI. The Department of Elementary and Secondary Education shall be responsible for assisting the Chairperson in securing meetings sites, preparing facilities, recording and preparing minutes and other administrative functions as necessary.

## ARTICLE VI Executive Committee

- Section I. The executive committee shall consist of the Chairperson, Vice Chairperson, Secretary, previous Chairperson, and four (4) members at large. A majority of the membership must be parents of students with a disability or individuals with a disability.
- Section II. The executive committee shall have authority to conduct routine or emergency business of the panel between meetings. Such action shall be ratified at the next meeting of the panel as a whole.
- Section III. Meetings of the executive committee shall be called by the Chairperson upon request of two (2) members of the committee. A quorum of at least half of the members must be present to conduct business.
- Section IV. The Assistant Commissioner of the Division of Special Education, Department of Elementary and Secondary Education, shall serve as an ex officio member of the executive committee.
- Section V. The executive committee shall have input in the preparation of an agenda for all scheduled meetings.
- Section VI. The at large members of the Executive Committee shall be elected at the annual election of officers (regular June meeting). In the case of a vacancy, the chairperson shall appoint, with the approval of the Executive Committee, a member to fill the vacancy. Such interim member shall fill that position until the next annual elections where upon they could be elected.

## ARTICLE VII Committees

- Section I. The Chairperson shall be empowered to appoint such standing and temporary

committees as may be necessary to carry out the duties and responsibilities of the panel.

**ARTICLE VIII**  
**Parliamentary Authority**

Section I. The rules contained in “Robert’s Rules of Order, Revised” shall govern this panel action in all cases to which they are applicable.

Section II. The Chairperson may appoint a member to serve as parliamentarian.

**ARTICLE IX**  
**Procedures to Amend the By-Laws**

Section I. These by-laws may be amended at any regular meeting by two-thirds (2/3) of the members present and voting.

Section II. The text of any proposed by-law shall be presented to the executive committee before the close of business at any regularly schedule meeting of the panel. The executive committee shall consider the proposed amendment and provide the membership an opportunity to vote on the proposed amendment as a part of the next regularly scheduled meeting.

Amended 09/15